

Arameh Z. O'Boyle (SBN 239495)
azoboyle@mintz.com
Esteban Morales Fabila (SBN 273948)
emorales@mintz.com
MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO P.C.
2049 Century Park East, Suite 300
Los Angeles, CA 90067
Telephone: (310) 586-3200
Facsimile: (310) 586-3202

[Additional Defendants' Counsel continued on next page]

*Attorneys for Defendants MindGeek
S.à r.l., MG Freesites Ltd, MG Premium
Ltd, MindGeek USA Incorporated, MG
Global Entertainment Inc., and 9219-
1568 Quebec Inc.*

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

K.A.,

Plaintiff,

v.

MINDGEEK S.A.R.L. a foreign entity;
MG FREESITES LTD, a foreign entity;
MINDGEEK USA INCORPORATED, a
Delaware corporation; MG PREMIUM
LTD, a foreign entity; MG GLOBAL
ENTERTAINMENT INC., a Delaware
corporation; 9219-1568 QUEBEC, INC.,
a foreign entity; BERND BERGMAIR, a
foreign individual; FERAS ANTOON, a
foreign individual; DAVID TASSILLO, a
foreign individual; VISA INC., a
Delaware corporation; REDWOOD
CAPITAL MANAGEMENT, LLC, a
Delaware limited liability company;
REDWOOD DOE FUNDS 1-7;
COLBECK CAPITAL MANAGEMENT,
LLC, a Delaware limited liability
company; COLBECK DOE FUNDS 1-3,

Defendants.

Case No. 2:24-cv-04786-WLH-
ADS

**NOTICE OF MOTION AND
OMNIBUS MOTION TO
DISMISS OF DEFENDANTS
MINDGEEK S.À R.L., MG
FREESITES LTD, MG
PREMIUM LTD, MINDGEEK
USA INCORPORATED, MG
GLOBAL ENTERTAINMENT
INC., AND 9219-1568 QUEBEC
INC.**

Hearing Date: January 31, 2025
Hearing Time: 1:30 p.m.
Courtroom: 9B
Judge: Hon. Wesley L.
Hsu

Complaint Filed: June 7, 2024
Trial Date: None Set

1 [Additional Defendants' Counsel continued from caption page]

2 Seth R. Goldman (*pro hac vice app. forthcoming*)
3 srgoldman@mintz.com
4 MINTZ, LEVIN, COHN, FERRIS,
5 GLOVSKY AND POPEO, P.C.
6 919 Third Avenue
New York, NY 10022
Telephone: (212) 692-6845
Facsimile: (212) 983-3115

7 Peter A. Biagetti (*admitted pro hac vice*)
8 pabiagetti@mintz.com
9 MINTZ, LEVIN, COHN, FERRIS,
10 GLOVSKY AND POPEO, P.C.
11 One Financial Center
12 Boston, MA 02111
13 Telephone: (617) 542-6000
14 Facsimile: (617) 542-2241
15
16
17
18
19
20
21
22
23
24
25
26
27
28

TO THIS HONORABLE COURT, TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Defendants MindGeek S.à r.l., MG Freesites Ltd, MG Premium Ltd, MindGeek USA Incorporated, MG Global Entertainment Inc., and 9219-1568 Quebec Inc. (collectively the “Defendants”), by and through their counsel, in accordance with the Court’s Order Granting Joint Stipulation to Request Limited Coordination for Purposes of Responding to Complaints in Related Cases (Dkt. No. 54), and pursuant to Federal Rules of Civil Procedure 12(b)(2) and 12(b)(6), will and hereby do respectfully move this Honorable Court to dismiss with prejudice all of Plaintiff K.A.’s claims against the Defendants as well as the claims of each plaintiff in the following related cases: *L.T. v. MindGeek S.A.R.L., et al.*, Case No. 2:24-cv-04791-WLH-ADS; *N.L. v. MindGeek S.A.R.L., et al.*, Case No. 2:24-cv-04788-WLH-ADS; *N.Y. v. MindGeek S.A.R.L., et al.*, Case No. 2:24-cv-04801-WLH-ADS; *T.C. v. MindGeek S.A.R.L., et al.*, Case No. 2:24-cv-04795-WLH-ADS; *X.N. v. MindGeek S.A.R.L., et al.*, Case No. 2:24-cv-04800-WLH-ADS; *J.C. v. MindGeek S.A.R.L., et al.*, Case No. 2:24-cv-04971-WLH-ADS; *C.S. v. MindGeek S.A.R.L., et al.*, Case No. 2:24-cv-04992-WLH-ADS; *S.O. v. MindGeek S.A.R.L., et al.*, Case No. 2:24-cv-04998-WLH-ADS; *W.L. v. MindGeek S.A.R.L., et al.*, Case No. 2:24-cv-04977-WLH-ADS; *L.S. v. MindGeek S.A.R.L., et al.*, Case No. 2:24-cv-05026-WLH-ADS; *A.K. v. MindGeek S.A.R.L., et al.*, Case No. 2:24-cv-05190-WLH-ADS; *W.P. v. MindGeek S.A.R.L., et al.*, Case No. 2:24-cv-05185-WLH-ADS; *J.L. v. MindGeek S.A.R.L., et al.*, Case No. 2:24-cv-07046-WLH-ADS (collectively with the above-captioned case, the “Related Actions”).

This Omnibus Motion to Dismiss is based upon this Notice of Motion, the attached Memorandum of Points and Authorities, the accompanying Declaration, the accompanying Application for Leave to File Documents Under Seal, the pleadings, documents, and records on file in this action and in the Related Actions, all other matters judicially noticeable, such further papers as may be filed in connection with

1 this Motion, and on further documentary evidence and oral argument as this Court
2 may consider.

3 This Omnibus Motion to Dismiss is made following the conference of counsel
4 (by video) pursuant to L.R. 7-3, which took place on October 14, 2024.

5 The hearing for Defendants' Omnibus Motion to Dismiss has been set for
6 January 31, 2025 at 1:30 p.m. in Courtroom 9B, 9th Floor of the above-referenced
7 court, located at 350 W. 1st Street, Los Angeles, California 90012.

8
9 Dated: October 30, 2024

Respectfully submitted,

10 MINTZ LEVIN COHN FERRIS GLOVSKY
11 AND POPEO, P.C.

12 /s/ Peter A. Biagetti

13 Seth R. Goldman (*pro hac vice app. forthcoming*)

14 Peter A. Biagetti (*admitted pro hac vice*)

15 Arameh Z. O'Boyle

16 Esteban Morales Fabila

17 Attorneys for Defendants

18 MindGeek S.à r.l., MG Freesites Ltd, MG

19 Premium Ltd, MindGeek USA Incorporated, MG

20 Global Entertainment Inc., and 9219-1568

21 Quebec Inc.
22
23
24
25
26
27
28